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**8 | Attorneys for Defendant  
LEXINGTON INSURANCE COMPANY**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**12** CENTEX HOMES, a Nevada general partnership.

CASE NO. 2:16-cv-01275-GMN-PAL

14 Plaintiff:

15 VS.

**STIPULATION RE BRIEFING ON  
LEXINGTON INSURANCE COMPANY'S  
MOTION TO DISMISS [FIRST  
REQUEST]**

16 EVEREST NATIONAL INSURANCE  
17 COMPANY, a Delaware corporation;  
18 INTERSTATE FIRE & CASUALTY  
19 COMPANY, an Illinois corporation;  
20 LEXINGTON INSURANCE COMPANY, a  
21 Delaware corporation; FINANCIAL  
PACIFIC INSURANCE COMPANY, a  
California corporation; HARTFORD  
CASUALTY INSURANCE COMPANY, an  
Indiana corporation,

#### Defendants.

24 Plaintiff CENTEX HOMES (“Centex”) and Defendant LEXINGTON INSURANCE  
25 COMPANY (“Lexington”), hereby submit the following Stipulation Re Briefing on Lexington’s  
26 Motion to Dismiss.

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1 WHEREAS, Lexington filed a Motion to Dismiss on October 10, 2016 (ECF Nos. 19 and  
2 20) (the “Motion”);

3 WHEREAS, the Motion makes various arguments as to why Centex's claims against  
4 Lexington should be dismissed relying in part on the language of the Lexington policies at issue:

5 WHEREAS, the Motion did not include copies of the Lexington policies themselves, but  
6 rather correspondence between Lexington and Centex in which the parties disputed Centex's rights  
7 and Lexington's obligations under the policies based in part of the policy language;

8 WHEREAS, Centex and Lexington previously stipulated that Lexington would supplement  
9 the Motion with copies of the insurance policies addressed therein and Centex's opposition would  
10 filed and served within 10 calendar days of the filing of Lexington's supplemental papers and  
11 Lexington's reply papers would be filed and served within 10 calendar days thereafter.

12 WHEREAS, Lexington filed copies of the policies on November 4, 2016 and Centex filed  
13 its opposition on November 14, 2016.

14 WHEREAS, November 24, 2016 is Thanksgiving, counsel's offices are closed on  
15 November 25, 2016, and counsel for Lexington will be out of the country at that time.

16 NOW, THEREFORE, Centex and Lexington, by and through their respective counsel of  
17 record, hereby stipulate that Lexington shall file and serve its reply by November 28, 2016.

**18** | DATED: November 17, 2016

PAYNE & FEARS LLP

By: /s/ *Sarah J. Odia* (as authorized 11/17/16)

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1 DATED: November 17, 2016

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2 By:

  
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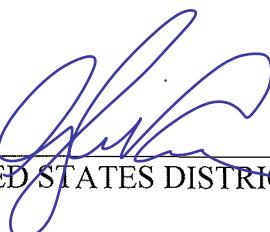
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Attorneys for Defendant

LEXINGTON INSURANCE COMPANY

7 **IT IS SO ORDERED:**

8 DATED: November 27, 2016

9   
10 UNITED STATES DISTRICT JUDGE

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